

REMARKS

Reconsideration of the application is requested.

Claims 21-35 and 37-39 remain in the application. Claims 21-35 and 37-39 are subject to examination.

Under the heading "Response to Arguments" on page 2 of the above-identified Office Action, the Examiner commented on applicant's previous remarks and on the prior art.

Applicant provides the following remarks in response to those of the Examiner on pages 2-3. There is a significant difference between the color selective filtering method taught by Maeda and the color rejection filtering method that is claimed. Applicant would like to stress two points:

1. Maeda teaches a display that uses tinted bulbs with colors that are equivalent to the tinted layers 3, 6 of the transparent display plates 1, 4.

See lines 6-14 on page 3 of the English translation of Maeda, which teaches: "reference numerals 7, 8 are display- use tinted bulbs" ... "and emit light of tinted colors equivalent to those of the tinted layers 3, 6 of the transparent display plates 1, 4."

2. The Examiner concludes from Maeda's teaching: "*it would be reasonable to construe the whole portion of the "display plate 1" excluding the "display symbol 2" as the claimed functional areas with absorption spectra corresponding to all colors other than red color.*" Applicant agrees that the functional areas of the tinted layers absorb all colors except one.

Claim 21 specifies that at least one filter's functional areas have substantially different spectrum than all emission spectra of said light source, for different modulation values of the modulator.

In other words, at least one filter will be in a color that is different from all of the colors of the light source. For instance, with regard to the claimed invention, one can choose blue and orange filters and green and red light sources. Applicant points out this color difference between the claimed invention and the teaching in Maeda.

Page 13, lines 20 – 25 of the present application teach:

"The light rays emitted by the light source pass through filter 612 outside the symbol represented by this filter and are absorbed within the symbol because its absorption spectrum corresponds to the emission spectrum of light-emitting diode 630. Then the remaining rays pass through filters 613 and 614 just as well within the shape of the symbol carried by these

filters as they do outside the symbol because these filters are transparent in the emission spectrum of light-emitting diode 630.”

Applicant describes that a light source 630 with voltage U1 will be absorbed only by one filter and will be nearly transparent to other filters. On another hand, a filter absorbs only one light source color and is transparent to other light source colors.

Applicant points out that this one color absorption in present invention is different than the all color except one color absorption taught by Maeda.

Claim 25 even further distinguishes the invention by specifying that “each said key comprises at least three superposed filters, said filters having transparent areas and areas with absorption spectra respectively corresponding substantially to emission spectra of said light source, for at least three modulation values of said modulator.”

Page 12, line 31 – page 14 line 18 of the present application describes a sixth embodiment that uses for instance blue, green and red light sources in combination with magenta, cyan and yellow filters. As illustrated in Figs. 12 and 13 of the application, this embodiment displays three different symbols on the same surface.

The Examiner states that, "*The difference between the claimed invention and the teachings of Maeda and Dreher is **one additional filter for one additional modulation value of the modulator.***" The Examiner alleges that it would have been obvious to have duplicated some of the structure suggested by Maeda and Dreher.

If one of ordinary skill in the art would have duplicated some of the structure taught by Maeda, this person would have used three tinted bulbs and three tinted layers of equivalent colors, and each tinted layer would absorb all colors except one (Eg: blue, green and red). Applicant respectfully stresses this method will not work. This is because, for instance, a red light will be absorbed in both the blue and the green tinted layers. Thus no icon red will ever be visible.

Clearly if one were to have duplicated one of the filters taught by Maeda, the result would have been an inoperative device. Therefore, there would not have been any suggestion to do so, and the invention as defined by claim 25 would not have been suggested.

Under the heading "Claim Rejections – 35 USC § 112" on page 4 of the above-identified Office Action, claims 21-28 and 37-39 have been rejected as failing to comply with the written description requirement under 35 U.S.C. § 112, first paragraph.

Claim 21 specifies that at least one filter's functional areas have substantially different spectrum than all emission spectra of said light source, for different modulation values of the modulator.

Fig. 13 and page 13, lines 19-27 provide support for the claimed limitation.

The graphs in Fig. 13 have been separated out and provided as four attached Figs. 13A-13D to assist the Examiner in understanding the originally submitted figure.

Fig. 13A shows the emission spectrum when the modulator is modulated with different modulation values U1, U2, and U3.

Fig. 13B shows the spectrum of the filters 612 and 622 and this spectrum is different from the spectrum emitted with the modulation value of U1 shown in Fig. 13A.

Fig. 13C shows the spectrum of the filters 613 and 623 and this spectrum is different from the spectrum emitted with the modulation value of U2 shown in Fig. 13A.

Fig. 13D shows the spectrum of the filters 614 and 624 and this spectrum is different from the spectrum emitted with the modulation value of U3 shown in Fig. 13A.

For any modulation value U1, U2, or U3, the filter's functional areas have substantially different spectrum than all emission spectra of said light source.

The claimed limitation is supported by the application as originally filed.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, first paragraph.

Under the heading "Claim Rejections – 35 USC § 103" on page 5 of the above-identified Office Action, claims 21-26, 28 and 37-39 have been rejected as being unpatentable over Japanese Patent Publication No. JP 1962-1636 to Maeda in view of U.S. Patent No. 4,551,717 to Dreher under 35 U.S.C. § 103. Applicant respectfully traverses.

Claim 21 specifies that at least one filter's functional areas have substantially different spectrum than all emission spectra of said light source, for different modulation values of the modulator.

Maeda teach a modulator that alternately lights a red light bulb 7 and a blue light bulb 8. So for one modulation value of the modulator, the light source will emit red light and for a different modulation value of the modulator, the light source will emit blue light.

Maeda also teach that when the modulator turns on the red light bulb 7, the red light will travel through the transparent display plate 1 and through the entire red tinted layer 3 of the transparent display plate 1. Therefore, it is clear that the area of the red tinted layer 3 of the transparent display plate 1, which is outside the display symbol 2, does not have a different spectrum than that of the red light bulb 7, but rather has the same spectrum (See page 4, lines 5-9 of the translation of Maeda). Also Maeda specifically teaches that the light bulb 7 emits light of a tinted color that is equivalent to that of the tinted layer 3 (See page 3, lines 6-13 of the translation of Maeda). Clearly, the tinted layer 3 has a spectrum that is equivalent to that of the red light bulb 7.

The Examiner has equated the claimed functional areas with the entire portion of the transparent plate 1 excluding the display symbol 2 that is taught by Maeda. However, as explained above, the entire area of the transparent plate 1 has a spectrum that that is equivalent to that of the red light bulb 7. In contrast, claim 21 specifies that at least one filter's functional areas have substantially different spectrum than all emission spectra of said light source, for different modulation values of the modulator.

Since the limitation of claim 21 that has been copied above is not taught by Maeda, the teachings in Maeda and Dreher could not have suggested the invention as defined by claim 21.

Claims 37 and 38 include the limitations of claim 21 discussed above.

Claim 25 specifies that each said key comprises at least three superposed filters, said filters having transparent areas and areas with absorption spectra respectively corresponding substantially to emission spectra of said light source, for at least three modulation values of said modulator.

As discussed above with regard to the remarks of the Examiner in item 2 of the Office action, if one were to have duplicated one of the filters taught by Maeda, the result would have been an inoperative device. Therefore, there would not have been any suggestion to do so, and the invention as defined by claim 25 would not have been suggested.

Under the heading "Claim Rejections – 35 USC § 103" on page 12 of the above-identified Office Action, claim 27 has been rejected as being unpatentable over Japanese Patent Publication No. JP 1962-1636 to Maeda in view of U.S. Patent No. 4,551,717 to Dreher and further in view of U.S. Publication 2004/0022047 to Okayasu under 35 U.S.C. § 103.

The invention as defined by claim 27 would not have been suggested for the reasons given above with regard to claim 21.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 21,

37, or 38. Claims 21, 37, and 38 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 21.

In view of the foregoing, reconsideration and allowance of claims 21-35 and 37-39 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Mark P. Weichselbaum/
Mark P. Weichselbaum
(Reg. No. 43,248)

MPW:cgm

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Lerner Greenberg Stemer LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100; Fax: (954) 925-1101